

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34528 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MADHEPURA District- Madhepura

BRAHMDEO PANDIT @ BRAHAMDEV PANDIT Son of Late Janak Pandit @ Late Janak Lal Pandit Resident of Village - Babhani Ward No.- 7, P.S.- Gamhariya, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of Madhepura Police Station Case No. 03 of 2023, dated 01.01.2023, disclosing offences under Sections 363/366(A)/34 of the Indian Penal Code and Section 8 of POCSO Act.

The prosecution case, on the basis of First Information Report, is that the petitioner, along with two other accused persons, has allegedly abducted the minor daughter of the informant while she had gone to attend coaching classes.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case merely because he happens to be the father of co-accused Dilkush Kumar, who was having love affair with daughter of the informant. Learned counsel referring to the statement recorded under Section 164 of the CrPC of the victim girl, submits that in her statement she has stated that the co-accused Dilkush Kumar has abducted and took her to Delhi for the purpose of marriage. He next submits that the petitioner was not involved in the abduction of the daughter of informant and the petitioner is in custody since 08.01.2023.

Regards being had to the submissions made by the parties and taking into consideration the fact that the victim has not stated anything about the petitioner in her statement recorded under Section 164 of the Cr.P.C, charge-sheet has already been submitted and the petitioner is in custody since 08.01.2023, accordingly, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge VI- cum -Special Judge,



POCSO, Madhepura in connection with Madhepura Police
Station Case No. 03 of 2023.

(Anil Kumar Sinha, J)

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